THE HON'BLE SRI BILAL NAZKI,
THE ACTING CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.978 of 2007

Dated: 27-11-2007

Between:

The Chairman,
A.P.Grameena Vikas Bank,
Hanamkonda, Warangal District

.... Appellants

AND

1.B.Ram Reddy and 24 others

.....Respondents

THE HON'BLE SRI BILAL NAZKI,
THE ACTING CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.978 of 2007

Dated: 27-11-2007

Judgment: **(Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)**

This Writ Appeal has been filed by the appellant-respondent No.1 aggrieved by an order dated 10-10-2007 passed by a learned single Judge of this Court in W.V.M.P.

of 2007 in WPMP.No.24027 of 2007 in W.P.No.18698 of 2007.

For the sake of convenience, the parties shall be hereinafter referred to as arrayed in the Writ Petition.

The final seniority list of Officers scale I, prepared and issued by the first respondent-A.P.Grameena Vikas Bank
vide Circular PER & HRD No.32/2007-08, dated 14-08-2007,
is under challenge in W.P.No.18698 of 2007 filed by the writ petitioners. While admitting the Writ Petition, the learned single Judge granted interim direction to the respondents not to give effect to the promotions to the Scale II Officers basing on the impugned final seniority list. This interim order was made absolute vide order dated 10-10-2007 in WPMP.No.24027 of 2007 & WVMP.No.2530 of 2007. Hence, the first respondent-Bank filed the present Writ Appeal.

Heard the learned Counsel for the parties and perused the material available on record.

It is contended by the learned Counsel for the first respondent that when the impugned seniority list was issued, objections were called, but, the writ petitioners did not choose to file any objections. This contention is refuted by the learned Counsel for the writ petitioners.

In any case, we are of the view that since the final seniority list has been issued and 137 posts of Scale II Officers are vacant in the first respondent-Bank, the promotions on the basis of the impugned seniority list should not have been stayed. As on today, the impugned seniority list is final and the writ petitioners may have a right to be considered for promotion on

the basis of the seniority, if the impugned seniority list is set aside by this Court. In this view of the matter, we vacate the order passed by the learned single Judge and allow the respondents to conduct promotion on the basis of the impugned seniority list, but, the promotions so made shall remain subject to out come of the Writ Petition. In case, the promotion orders are already issued, the promoted candidates shall also be informed that their promotion is subject to the outcome of the Writ Petition.

The Writ Appeal is, accordingly, disposed of. No costs. The Writ Petition be listed before the appropriate Court.

(Bilal Nazki, A.C.J)

Dated 27th November, 2007

(Ramesh Ranganathan, J)

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